

APR. 16. 2003 5:45PM

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## FACSIMILE TRANSMISSION

Total # of Pages: 12 (including this page)

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Examiner Karen Lacourciere - Art Unit 1635 Commissioner of Patents BOX NON-FEE AMENDMENT	(703) 308-7523	(703) 872-9306

From : Teresa Spehar for Richard J. Warburg  
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### MESSAGE:

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Re: Application Serial No. 09/557,796

Following are:

Amendment Transmittal (3 pgs.);

Response (8 pgs.).

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Atty. Dkt. No. 252/123  
(037002-0205)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hoch and Dartois  
Title: METABOLIC SELECTION  
METHODS  
Appl. No.: 09/557,796  
Filing Date: 04/25/2000  
Examiner: K. Lacourciere  
Art Unit: 1635

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below.  <u>Teresa Spehar</u> (Printed Name)   (Signature)  <u>April 16, 2003</u> (Date of Deposit)
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**AMENDMENT TRANSMITTAL**

Commissioner for Patents  
Box NON-FEE AMENDMENT  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

- ☒ Applicants claim small entity status. 37 CFR 1.27.  
☐ Small Entity statement is enclosed.  
☒ The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	17	31	0	x \$18.00	\$0.00
Independents:	1	5	0	x \$84.00	\$0.00
First presentation of any Multiple Dependent Claims:				+ \$280.00	\$0.00
CLAIMS FEE TOTAL:					\$0.00

Atty. Dkt. No. 252/123  
(037002-0205)

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$410.00	\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$930.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,450.00	\$0.00
<input type="checkbox"/> Extension for response filed within the fifth month:	\$1,970.00	\$0.00
EXTENSION FEE TOTAL:		\$0.00
CLAIMS AND EXTENSION FEE TOTAL:		\$0.00
<input checked="" type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):		\$0.00
TOTAL FEE:		\$0.00

- ☐ Please charge Deposit Account No. 50-0872 in the amount of \$\_\_\_\_\_. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Atty. Dkt. No. 252/123  
(037002-0205)

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: April 16, 2003

By 

FOLEY & LARDNER  
Customer Number: 30542



30542

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PATENT

Attorney Docket No.: 252/123  
(037002-0205)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: Hoch and Dartois

Application No.: 09/557,796

Confirmation No: 8950

Filing Date: April 25, 2000

For: METABOLIC SELECTION METHODS

Group Art Unit: 1635

Examiner: K. Lacourciere

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I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C., on the date below.Teresa Shehar  
Name of person making paperSignature *[Signature]* Date April 16, 2003**BOX NON-FEE AMENDMENT**Commissioner for Patents  
Washington, D.C. 20231**RESPONSE**

Sir:

Responsive to the Office Action mailed January 16, 2003 (Paper No. 20), please consider the following amendments and remarks.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks** begin on page 5 of this paper.